

7565. Adulteration of candy. U. S. v. 50 Boxes of Candy Bars. Default decree of condemnation and destruction. (F. D. C. No. 13980. Sample No. 85747-F.)

LIBEL FILED: October 27, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about August 23, 1944, by the Novelty Peanut Co., from Dallas, Tex.

PRODUCT: 50 boxes, each containing 16 1-ounce bars, of candy at Denver, Colo.

LABEL, IN PART: "Pat's Candy Bar."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance since it contained rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7566. Adulteration of candy. U. S. v. 60 Boxes of Candy Bars. Default decree of condemnation and destruction. (F. D. C. No. 14632. Sample No. 63813-F.)

LIBEL FILED: December 14, 1944, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 8, 1944, by Bob's Candy and Peanut Co., from Albany, Ga.

PRODUCT: 60 boxes, each containing 24 bars, of candy at Tampa, Fla.

LABEL, IN PART: (Bars) "Bobs Coconut Soldier 5c."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 8, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7567. Adulteration of candy. U. S. v. 88 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 14646. Sample No. 63785-F.)

LIBEL FILED: December 13, 1944, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about November 21, 1944, by the Beckham Candy Co., from Atlanta, Ga.

PRODUCT: 88 boxes, each containing 24 1-ounce bars, of candy at Salisbury, N. C.

LABEL, IN PART: (Bar) "Beckham's Coco Meat 'For a Candy Treat'."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 19, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CHOCOLATE AND COCOA PRODUCTS

7568. Adulteration of chocolate. U. S. v. 14 Bags of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14830. Sample No. 99148-F.)

LIBEL FILED: December 21, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 19, 1944, from Richmond, Ind.

PRODUCT: 14 185-pound bags of chocolate at St. Louis, Mo., in the possession of the White Baking Co. of Missouri, Inc.

This product was stored, after shipment, under insanitary conditions. The bags were rodent-gnawed, and rodent pellets were observed on the bags. Examination showed that the product contained rodent hairs and rodent-gnawed pieces of chocolate.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 12, 1945. The White Baking Co. of Missouri, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

7569. Adulteration and misbranding of chocolate sirup. U. S. v. 14 Cases of Chocolate Sirup. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14524. Sample No. 80788-F.)

LIBEL FILED: November 25, 1944, Southern District of Illinois.

ALLEGED SHIPMENT: On or about July 28, 1944, by Silver Hill Products, Inc., from Brooklyn, N. Y.

PRODUCT: 14 cases, each containing 24 1-pound jars, of chocolate sirup at Cuba, Ill.

LABEL, IN PART: "Van Delft's Double Strength Chocolate Flavored Syrup."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a sirupy solution of sugar or sugars, with a predominating flavor of molasses, had been substituted in whole or in part for "Double Strength Chocolate Flavored Syrup," which the product was represented to be.

Misbranding, Section 403 (a), the label statement, "Double Strength Chocolate Flavored Syrup," was false and misleading as applied to the product.

DISPOSITION: January 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

7570. Adulteration of milk chocolate fudge topping. U. S. v. 2 Cases of Milk Chocolate Fudge Topping. Default decree of condemnation and destruction. (F. D. C. No. 14914. Sample No. 92308-F.)

LIBEL FILED: December 28, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about November 1, 1943, by the Robert A. Johnston Co., from Milwaukee, Wis.

PRODUCT: 2 cases, each containing 6 jars, of fudge topping at Rochester, N. Y. This product contained mold.

LABEL, IN PART: "Johnston Milk Chocolate Fudge Topping No. 20 for making Hot Fudge Sundaes Net Weight 7 Lbs. 8 Ozs."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: January 30, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7571. Adulteration of cocoa residue. U. S. v. 50 Bags of Cocoa Residue. Default decree of condemnation and destruction. (F. D. C. No. 14856. Sample No. 63779-F.)

LIBEL FILED: December 21, 1944, Western District of North Carolina.

ALLEGED SHIPMENT: On or about November 6, 1944, by J. B. Robinson, from Cleveland, Ohio.

PRODUCT: 50 40-pound bags of cocoa residue at Charlotte, N. C.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments.

DISPOSITION: January 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SIRUPS AND SUGAR*

7572. Adulteration of sirup. U. S. v. 70 Cases of Sirup. Default decree of condemnation and destruction. (F. D. C. No. 14448. Sample No. 34944-F.)

LIBEL FILED: November 24, 1944, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about September 22, 1944, by the Mark Vandewart Co., Inc., from New York, N. Y.

PRODUCT: 70 cases, each containing 12 32-ounce bottles, of sirup at Charleston, S. C.

This product was undergoing active fermentation.

*See also No. 7569.